

### **REMARKS**

Claims 1-27, 29-42 and 44-51 are currently pending in the subject application and are presently under consideration. Claims 1, 19, 24, 29, 31-34, 45 and 47 have been amended as shown on pages 2-10 of the Reply. Claim 28 has been cancelled herein. The below comments present in greater detail distinctive features of applicants' claimed invention over the cited art that were conveyed to the Examiner over the telephone on September 28, 2007.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

#### **I. Rejection of Claims 1-23 and 45 Under 35 U.S.C. §101**

Claims 1-23 and 45 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Independent claims 1 and 45 have been amended herein, and in view of these amendments this rejection is now believed to be moot and accordingly should be withdrawn.

#### **II. Rejection of Claims 1, 2, 4-10, 12, 13, 15-18, 24, 26-30, 32, 36-41 and 44-45 Under 35 U.S.C. §102(b)**

Claims 1, 2, 4-10, 12, 13, 15-18, 24, 26-30, 32, 36-41 and 44-45 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jacobi *et al.* (U.S. 6,064,980). Withdrawal of this rejection is requested for at least the following reasons. Jacobi *et al.* fails to teach or suggest each and every element of the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that “*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

Applicants' claimed subject matter relates to a system that facilitates reviewing and manipulating media *via* an interactive media frame that allows for viewing and/or

manipulating media. To this end, amended independent claim 1 recites *a media frame component that facilitates full interactivity by a user to remotely browse, manipulate, and view a plurality of media items stored in the at least one media store by interfacing with the host component, the media frame display retrieves a plurality of media items from the host media store, stores them in a local store and transmits back to the host media store the at least one of modified media items or operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display*. Independent claim 24 and 45 recite similar features. Jacobi *et al.* does not disclose such novel features.

Jacobi *et al.* relates to a recommendation service that uses collaborative filtering techniques to recommend books to users of a Web site. A web server application is disclosed that allows a user to access a catalog of various titles offered by the application via a web site. At page 4 of the Final Office Action, the Examiner contends that Jacobi *et al.* teaches such novel features of applicants' claimed invention. Applicants' representative avers to the contrary. In accordance with the subject invention, a media display system allows a user to remotely access media items stored in a host data store. The system allows the user to browse, manipulate and view the media items remotely and also to download the media items into a data store of the media display device. After modification, the modified media items are transferred back the host media store. Operations like add, delete and so on, performed on the media items are also transmitted to the host media store to update it. The media items can be manipulated in a variety of ways. For example, the media items can be deleted, annotated with metadata, annotated with verbal input and/or voice recognition systems, new metadata can be generated, the order changed and so forth. At the cited portions, Jacobi *et al.* discloses a system that offers the user a database of titles that have been previously rated and also allows a user to browse the site to read about the various titles contained within the catalog. The database contains product information such as author, title, ISBN, description, price, *etc.* The system of Jacobi *et al.* allows the user to view, browse and manipulate a catalog listing (*e.g.*, rating) of the media items. However, Jacobi *et al.* is silent regarding *a media frame display that retrieves a plurality of media items from the host media store, stores them in a local store and transmits back to the host media store the at least one of*

*modified media items or operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display* as recited in the subject claims. Thus, the claimed subject matter allows a user to enjoy and manipulate media items stored in the interactive media frame when out of range, apart, or disconnected from the host media store.

Based on at least the foregoing, it is clear that Jacobi *et al.* does not teach or suggest all limitations as recited in the subject claims. Accordingly, it is requested that this rejection with respect to independent claims 1, 24 and 45 (and the claims that depend there from) be withdrawn and the subject claims allowed.

### **III. Rejection of Claims 3, 11 and 25 Under 35 U.S.C. §103(a)**

Claims 3, 11 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobi *et al.* in view of Agarwal (U.S. 2006/0178946). Withdrawal of this rejection is requested for the following reasons. Neither Jacobi *et al.* nor Agarwal, alone or in combination, teach or suggest all limitations recited in the subject claims.

Claims 3, 11 and 25 respectively depend from independent claims 1 and 24. As discussed *supra*, Jacobi *et al.* fails to disclose or suggest all features of independent claims 1 and 24 and Agarwal fails to make up for the deficiencies of Jacobi *et al.* Agarwal relates to a system for creating gift clusters of multiple items in a client/server environment and for the ordering of such user-defined gift clusters of multiple items. However, Agarwal fails to disclose the *media frame display retrieves a plurality of media items from the host media store, stores them in a local store and transmits back to the host media store the at least one of modified media items or operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display*. Thus, Agarwal does not compensate for the aforementioned deficiencies of Jacobi *et al.*, and the cited references alone or in combination do not teach or suggest all limitations recited in the subject claims. Accordingly, it is requested that this rejection be withdrawn.

**IV. Rejection of Claims 14, 19-23, 31 and 33-35 Under 35 U.S.C. §103(a)**

Claims 14, 19-23, 31 and 33-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobi *et al.* in view of Demers *et al.* (U.S. Patent Application No. 2004/0068536). Withdrawal of this rejection is requested for at least the following reasons. The combination of the cited references fails to teach or suggest all claim limitations.

Claims 14, 19-23, 31 and 33-35 respectively depend from independent claims 1 and 24. As discussed *supra*, Jacobi *et al.* fails to disclose or suggest all features of independent claims 1 and 24. Specifically, Jacobi *et al.* fails to disclose ***the media frame display retrieves a plurality of media items from the host media store, stores them in a local store and transmits back to the host media store the at least one of modified media items or operations performed on the media items, wherein the local data store is operably connected to the interactive media frame display.*** Demers *et al.* relates to a multimedia software application that can combine the multimedia experience with the transfer of information between a variety of sources, in a variety of directions and subject to a variety of prompts. However, Demers *et al.* is silent regarding transmits back to the host media store the at least one of modified media items or operations performed on the media items and fails to make up for the aforementioned deficiencies of Jacobi *et al.*

Thus, the cited references, alone or in combination, do not teach or suggest all claim limitations. Accordingly, it is requested that this rejection be withdrawn.

**V. Rejection of Claims 42, 46 and 47 Under 35 U.S.C. §103(a)**

Claims 42, 46 and 47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobi *et al.* in view of Kronz (U.S. 6,675,196). Withdrawal of this rejection is requested for the following reasons. The cited references, either alone or in combination, fail to teach or suggest all limitations of the subject claims.

Claims 42, 46 and 47 respectively depend from independent claims 24 and 45. As discussed *supra*, Jacobi *et al.* fails to disclose or suggest all features of amended independent claims 24 and 45. Kronz relates to a method and apparatus for enabling any of a variety of devices to communicate with each other over a common or universal protocol. When Kronz is placed in combination with Jacobi *et al.*, the combination fails

to teach or suggest all claim limitations.

Thus, neither Jacobi *et al.* nor Kronz, alone or in combination, teach or suggest all claim limitations. Accordingly, this rejection should be withdrawn.

**VI. Rejection of Claims 48-51 Under 35 U.S.C. §103(a)**

Claims 48-51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jacobi *et al.* in view of Bendinelli *et al.* (U.S. 6,061,719). Withdrawal of this rejection is requested for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest all claim limitations.

Claims 48-51 respectively depend from independent claim 45. As discussed *supra*, Jacobi *et al.* fails to disclose or suggest all features of independent claim 45. Bendinelli *et al.* relates to techniques for integrating television and computer systems, and fails to make up for the aforementioned deficiencies of Jacobi *et al.*

Thus, even if the cited references were combined, as suggested, they would fail to teach or suggest all claim limitations. Accordingly, it is requested that this rejection be withdrawn.

**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP446USA].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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